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In: 1
Out: 3

JOURNAL

OFFICE OF LEGISLATIVE COUNSEL

Monday - 28 February 1972

1. (Confidential - GLC) Talked with Representative Albert Quie (R., Minn.) about our interest in having the conferees on S. 2515, who are meeting this afternoon, insert in the conference report on this bill a statement which would indicate that it is not the intention of the Congress in enacting this legislation to subordinate the discretionary authority or judgment which department heads may have by statute in cases involving the national security. Mr. Quie said that Representative John Erlenborn (R., Ill.) was the principal member handling this legislation and that Tom Hart (with whom we have been dealing) is the principal staff member. Mr. Quie said he would do everything he could to support us on this however.

2. (Secret - GLC) Hand-carried to Bill Woodruff, Counsel, Senate Appropriations Committee, figures which he had requested on funds and personnel in the intelligence community in Fiscal Year 1973.

Mr. Woodruff returned to me the answer which we had prepared to Senator Case's two questions on Soviet ICBMs with instructions that we handle this response with the Senator personally. See Memo for Record.

I alerted Mr. Woodruff to the action which we were taking this morning in attempting to have appropriate language inserted in the conference report on the equal employment opportunity legislation (S. 2515). Woodruff could see no problem with this.

25X1 3. (Confidential - JMM) Messrs. Tweedy, [redacted] and I lunched at [redacted] house with Ralph Preston, Staff Assistant, House Appropriations Committee, and discussed plans for the Director's upcoming appearances before the Mahon Committee with regard to community matters. [redacted] is preparing a Memo for the Record.

25X1 I gave Preston a copy of a letter to Mr. Helms from Representative Joe Evins (D., Tenn.), containing several complaints about the Agency, and asked Preston's advice for responding. Preston said he would show it to Chairman Mahon and let us know.

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4. (Confidential - JMM) Senator Stuart Symington (D., Mo.) called in response to my earlier call to him for a date to meet and discuss his query to the Director regarding an article about the Agency in the March "Earth" magazine. I told Symington I would like to come see him at his convenience, but he said this was not necessary, that Senator Harold Hughes (D., Iowa) was the one who was particularly interested in the matter and I should see him. I told Symington we would be glad to do so, but would like him to know the article in question was full of nonsense. Symington asked that I let him know the results after I talk to Senator Hughes, who had been speaking of "investigating" the charges against the Agency contained in the article.

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6. (Unclassified - JMM) John Goldsmith, Senate Armed Services Committee staff, called regarding a story in today's New York Times on the DDCI nomination. See Memo for the Record.

7. (Unclassified - JMM) Ed Braswell, Chief Counsel, Senate Armed Services Committee, called to ask the salary of the DDCI, which we explained was \$40,000.

8. (Confidential - JGO) I talked to several different members of the staff of the House Foreign Affairs Committee about the Jack Anderson column on Sunday of a report being prepared by Representative Lester Wolff (D., N.Y.) concerning dope in Thailand. The staff has no knowledge of such a report but will advise us should they learn differently. No further action is contemplated at this time.

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9. (Secret - JMM) John Lehman, on the White House staff, called to ask if the Agency was appearing this week before the Nedzi Subcommittee regarding the Hebert/Arends bill (H.R. 9853) on security of classified information. I said we were not, in view of our policy against appearing in open session. Lehman was glad to hear this. He asked my views about trying to delay hearings on this subject until next month so that the Administration's position could be clarified and further work completed in the NSSM 13 exercise. I said one argument against delay was the possibility that the Moorhead Subcommittee would pick up the ball and run with it, and I thought we were better off dealing with Nedzi. Lehman said this was a consideration which hadn't occurred to them, and maybe they had better take another look. He asked how we were getting along with Nedzi and I said there were no major problems at this stage. This seemed to surprise him.

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11. (Confidential - JGO) Talked to Mr. Bruce Clarke, OSR, who told me he had a good meeting with Mr. Fred Wikner, assistant to Dr. John S. Foster, Director of Defense Research & Engineering, Department of Defense, and relayed to him the information provided in the meeting with Mr. Frank Slatinshek, Assistant Chief Counsel, House Armed Services Committee, concerning differences in the information provided by the Director and Dr. Foster on Soviet R&D. Mr. Clarke will brief Mr. Slatinshek on the meeting.

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13. (Internal Use Only - LLM) In followup of the decision to go the legislative history route on S. 2515, Equal Employment Opportunities Enforcement Act, met separately with key staffers representing the principal Senators and Representatives on the conference committee and they all endorsed the insertion of the essence of our suggested statement in the conference report:

"In providing the statutory basis for such appeal or court access, it is not the intent of the Committee to subordinate any discretionary authority or final judgment now reposed in agency heads by, or under, statute for national security reasons in the interests of the United States."

(The underscored words of art from the 102(c) authority were added to make perfectly clear that the Agency was contemplated in this boiled down version of our suggested statement.) Involved in this determination were: from the House Committee on Education and Labor, Chief Clerk, Donald Baker; Director of the Labor Subcommittee, Robert Vagley; Chief Consultant, Tom Hart, and from the Senate Education and Public Welfare Committee, Counsel, Gerald Feder; Associate Counsel, Donald Elisburg, and Minority Staff General Counsel, Eugene Mittelman, representing respectively Representatives Carl Perkins (D., Ky.) and John Dent (D., Pa.) and Senators Harrison Williams (D., N.J.) and Jacob Javits (R., N.Y.).

Separately, Representative Albert Quie (R., Minn.), Ranking Minority Member of the full Committee, told [] he would support our position and Representative John Erlenborn (R., Ill.), Ranking Minority Member of the Subcommittee, told me we could count on his full support.

The advice and approval of Mr. Warner was obtained on the language above and Mr. Fisher was advised of the agreement on the language for whatever action is necessary to keep the Civil Service Commission apprised of these developments.

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25X1 14. [] Mrs. Sutherland, in the office of
Senator Abraham Ribicoff (D., Conn.), called and asked for a copy of
the China Atlas. I told her someone would drop it by.

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[]
[] JOHN M. MAURY
Legislative Counsel ✓

cc:
ER
O/DDCI
Ex/Dir

25X1 []
Mr. Thuermer
Mr. Houston

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DDI
DDS
DDS&T
EA/DDP
OPPB

25X1 Item 8 - []
Item 13 - Bavis, Fisher

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